

STATE OF NEW MEXICO'S RULE 71.3 REPORT – FY 2020
EXHIBIT A: LOWER RIO GRANDE ADJUDICATION BUREAU

November 1, 2019

Pursuant to the requirements of NMRA Rule 1-071.3, the State of New Mexico presents its report setting out the State's priorities and available resources for the state stream system adjudication, in the Lower Rio Grande Adjudication Bureau for fiscal year 2020 (July 1, 2019 to June 30, 2020), which will be filed in each adjudication. The available resources are based upon full time employee ("FTE") time, including staff and contractors, and are listed in Table 1.

SUMMARY OF AVAILABLE RESOURCES FOR THE LOWER RIO GRANDE ADJUDICATION BUREAU

| | FY2019 FTEs | FY2020 FTEs |
|--|------------------------|------------------------|
| Total Bureau Staff and Contractor Resources | 11.80 | 13.35 |
| A. Lower Rio Grande Adjudication | 10.55 | 12.55 |
| B. Gallinas River | 1.25 | .80 |

LOWER RIO GRANDE ADJUDICATION PRIORITIES FOR FY 2020

A. General

1. Litigation of proposed or designated stream system/expedited *inter se* issues

- a. Steam System Issue 104 (United States' interest in the Rio Grande Project). This stream system issue is currently stayed for continuing settlement discussions related to this and other litigation, looking for a comprehensive negotiated solution to issues raised by this steam system issue, by the lawsuit over the Rio Grande operating agreement, and by Texas v. New Mexico.
- b. Stream System Issue 107 (status of pre-Rio Grande Project surface water rights). This stream system issue is currently stayed along with, for the same reason, as Stream System Issue 104. There is one appeal from this stream system issue, arising out of the Court's striking of the purported Notice of Participation by dismissed claimant Scott Boyd. The appeal has been put on the Court of Appeals' general calendar, and numerous motions to stay the appeal by the appellant Boyd have been filed. The brief-in-chief has not been timely filed.
- c. The dismissal of the Pre-1906 Claimant's Expedited Inter Se is also on appeal. As with the Scott Boyd appeal appellants have sought to stay the appeal, based on their motion to intervene in Texas v. New Mexico. The current motion to stay will probably be denied, since a prior motion, on the same grounds, was denied, and briefing will begin.

- d. Stephen Faykus and the Faykus Family Trust subfile. This determination that the claimants lacked a surface water, river pumping right is on appeal and is fully briefed. There remain, however, pending activities in the district court related to the attempts of claimants to file a supersedeas bond to stay the subfile order on appeal—more specifically, an injunction against further river pumping issued by the Sierra County water judge.
 - e. Toby Romero subfile. This determination of forfeiture of a claimed water right from steam locomotive use was affirmed on appeal. The claimant has filed an application for a writ of certiorari with the Supreme Court, and that Court has requested that the State file a response no later than November 8.
 - f. Copper Flat Mine expedited *inter se*. This appeal of Mendenhall, forfeiture and abandonment issues arising out of water rights related to the Copper Flat mine has been fully briefed in the Court of Appeals by the main participating parties. Certain motions to file *amicus* briefs have not yet been acted on, nor has oral argument been set.
 - g. Rice/Packard subfiles. These two subfiles involve disputed claims regarding the amount of irrigated acreage for two new pecan groves. The State filed a motion for a scheduling conference in late July after the failure to settle in mediation.
 - h. Texas v. New Mexico. Though this is not subfile litigation, LRG Adjudication Bureau legal, support, and technical staff have been and will continue to be involved in support for discovery and trial preparation.
2. Negotiation with major parties.
- None now pending other than the negotiations related to the Stream System Issue 104 stay.
3. Mediation of other substantive issues.
- a. Apodaca Cervantes. This is a challenge to a determination that evidence tendered of water use is insufficient to establish an FDR of greater than 4.5 acre-feet per acre per year.
4. Other special procedures and procedural motions in the LRG
- a. Continuing authentication of claims to historical groundwater use for claimants seeking to add groundwater component to their adjudicated and unadjudicated surface water rights, in conjunction with permitting applications to the District IV office.
 - b. Implementation of Stream System Issue 108, retroactive determination of EBID surface water amounts and places of use for subfiles entered before the settlement of Stream System Issue 101.
 - c. A motion to expand the scope of Implied Consent.
 - d. A motion to exclude certain smaller surface water livestock impoundments from the adjudication.

B. Lower Rio Grande Adjudication, Routine subfile Processing

- a. The preparatory work for the creation of new subfile offers continues to be focused in the Northern Mesilla section, though work actively continues in all sections but Nutt-Hockett.
- b. The continuing receipt of Hydrographic Survey Change Requests (HSCR) for all sub-basins prevents the hydrographic survey staff from working in one sub-basin exclusively. Of the three active sub-basins outside of Northern Mesilla, Southern Mesilla receives the most attention, because there the need to analyze a subfile following the receipt of a HSCR will typically require that the close-fitting block of subfiles adjacent to the newly-analyzed one must also be analyzed and, when appropriate, forwarded for new offers.
- c. The status of all sections as of October 1, 2019, is:
 1. Nutt Hockett: 43 subfiles, 98% served, 98% adjudicated
 2. Rincon: 1237 subfiles, 96% served, 85% adjudicated
 3. Northern Mesilla: 5884 subfiles, 59% served, 39% adjudicated
 4. Southern Mesilla: 5491 subfiles, 59% served, 45% adjudicated
 5. Outlying Areas: 1358 subfiles, 83% served, 74% adjudicated
- d. Routine subfile processing encompasses most of the bureau's everyday work, encompassing updating the Hydrographic Survey, creating new maps to conform to multiple point and polygon requirements, analyzing claims for a larger Farm Deliver Requirement, legal review of proposed offers, service of offers, revised offers or duplicates, reviewing objections, discussions with objecting claimants by survey or legal staff, default and implied consent requests, correcting entered orders with typographical errors and re-opening entered orders needing significant correction.

ANIMAS UNDERGROUND WATER BASIN ADJUDICATION PRIORITIES FOR FY 2020

1. J & C Victor Trust appealed a refusal by Judge Robinson to reconsider the basin-wide FDR set in a 2012. Its docketing statement was filed in April, 2019, and the case is currently waiting for a calendar assignment in the Court of Appeals.
2. As of October 1, 2019, there are 162 Animas subfiles, of which 87% have been served, and 61% have been adjudicated.

Exhibit A

Table 1: Lower Rio Grande Bureau Resources Allocated

| PRIORITY ADJUDICATION SECTION | Staff Atty | Contract Atty | Staff Para-legal | Survey Staff | Data/IT Staff | Section Totals |
|--|-------------------|----------------------|-------------------------|---------------------|----------------------|-----------------------|
| Lower Rio Grande Adjudication | | | | | | |
| <i>A. General</i> | 1.05 | - | .20 | .65 | | 1.90 |
| <i>B. Rincon</i> | .30 | - | .15 | .30 | | .75 |
| <i>C. N. Mesilla</i> | 1.60 | - | 1.10 | 3.70 | | 6.40 |
| <i>D. S. Mesilla</i> | .75 | - | .25 | 2.00 | | 3.00 |
| <i>E. Outlying</i> | .20 | - | .05 | .25 | | .50 |
| Category Totals: LRG | 3.90 | - | 1.75 | 6.90 | | 12.55 |
| Animas Underground Adjudication | | | | | | |
| <i>Animas</i> | .10 | .20 | - | .50 | | .80 |
| | .10 | .20 | - | .50 | | .80 |
| | | | | | | |
| CATEGORY TOTALS - ALL SECTIONS | 4.00 | .20 | 1.75 | 7.40 | | 13.35 |

STATE OF NEW MEXICO'S RULE 71.3 REPORT – FY 2020**EXHIBIT B: PECOS ADJUDICATION BUREAU**

November 1, 2019

Pursuant to the requirements of NMRA Rule 1-071.3, the State of New Mexico presents its report setting out the State's priorities and available resources for the state stream system adjudication, *State of N.M. & PVACD v. Lewis*, Case Nos. 20294 & 22600 (Consolidated), in the Pecos Adjudication Bureau for fiscal year 2020 (July 1, 2019 to June 30, 2020). The available resources are based upon full time employee ("FTE") time, including contractors, and are listed in Table 1.

SUMMARY OF AVAILABLE RESOURCES FOR PECOS ADJUDICATION BUREAU

| | | FY2019 FTEs | FY2020 FTEs |
|----|--|------------------------|------------------------|
| | Total Bureau Staff and Contractor Resources | 3.45 | 6.35 |
| 01 | A. Roswell Underground Water Basin ("RAB") | 1.40 | 2.75 |
| 02 | B. Gallinas River | 1.70 | .90 |
| 03 | C. Upper Pecos Underground Water Basin | - | .80 |
| 04 | D. Upper Pecos Surface Water - Cow Creek | - | .75 |
| 05 | E. Carlsbad – Intrepid Potash | - | .70 |
| 06 | F. Pecos General | - | .35 |
| 07 | G. City of Las Vegas | .15 | .10 |
| 08 | H. Hondo Underground Water Basin | .20 | - |
| 09 | I. Carlsbad - Carlsbad Underground Water Basin | - | - |
| 10 | J. Penasco Underground Water Basin | - | - |
| 11 | K. Fort Sumner Irrigation District | - | - |
| 12 | L. Carlsbad – Black River | - | - |
| 13 | M. Carlsbad – Carlsbad Irrigation District - completed | - | - |
| 14 | N. Rio Hondo Surface Water | - | - |
| 15 | O. Pecos – Other | - | - |

PECOS ADJUDICATION PRIORITIES FOR FY 2020**A. ROSWELL UNDERGROUND WATER BASIN ("RAB")**

1. Evaluate and adjudicate pending relation back claims.
 - a. Identification of water rights subject to relation back claims.
 - b. Determination of current status of water rights.
 - c. Identification of owners of water rights subject to relation back claims.
 - d. Development of proposed procedural order for proceeding with relation back claims.

Exhibit B

- e. Notification of relation back proceeding to claimants.
- f. Consultation with claimants.
- g. Enter into consent orders for resolved relation back claims.
2. Litigate contested relation back claims.

B. GALLINAS RIVER

1. Complete *inter se* proceeding, including possible litigation of 2 to 3 subfiles.
2. Prepare partial final judgment and decree for surface water rights with addendum summarizing adjudicated water rights, and seek entry of partial final judgment and decree.

C. UPPER PECOS UNDERGROUND WATER BASIN

1. Continue hydrographic survey of Upper Pecos groundwater uses, including expansion areas.

D. UPPER PECOS SURFACE WATER – COW CREEK

1. Preparation and filing of procedural and scheduling issues to proceed with subfile adjudication.
2. Primary sub-file work and service of proposed consent orders.
3. File motions for entry of consent orders for resolved subfiles.
4. Litigation of contested subfiles.

E. CARLSBAD – INTREPID POTASH

1. Commenced expedited *inter se* proceeding of Intrepid Potash water rights claims, which was stayed.
2. Settlement meetings began in September, 2019 to resolve Intrepid Potash water rights claims.
3. Proceed with expedited *inter se* if resolution is not reached through settlement.

F. PECOS – GENERAL

Analyze priorities for subsection adjudication and determine legal and procedural approaches and opportunities to expedite the Pecos adjudication.

G. CITY OF LAS VEGAS REMAND PROCEEDING

1. Special Master's Report filed in September 2018 to resolve City of Las Vegas equitable water right and proposing remedy.
2. Response to Court's Open Letter to the Parties due November 15, 2019.
3. Continue to work toward resolution of equitable remedy.

H. HONDO UNDERGROUND STREAM SYSTEM – *not a priority for FY2020*

I. CARLSBAD – CARLSBAD UNDERGROUND WATER BASIN – *not a priority for FY2020*

J. PEÑASCO UNDERGROUND WATER BASIN – *not a priority for FY2020*

Exhibit B

K. FORT SUMNER IRRIGATION DISTRICT

1. Analysis of potential approaches to irrigation district adjudication.

L. CARLSBAD - BLACK RIVER – *not a priority for FY2020*

M. CARLSBAD – CARLSBAD IRRIGATION DISTRICT – *completed FY2017*

N. RIO HONDO SURFACE WATER – *not a priority for FY2020*

O. PECOS – OTHER – *not a priority for FY2020*

Exhibit B

Table 1: Pecos Adjudication Bureau Priority Sections & Resources Allocated

| PRIORITY ADJUDICATION SECTION | Staff Atty | Contract Atty | Staff Para-legal | Survey Staff | Data/IT Staff | Section Totals |
|---|-------------------|----------------------|-------------------------|---------------------|----------------------|-----------------------|
| <i>A. Roswell Underground Water Basin (RAB)</i> | .60 | 1.20 | .55 | .30 | .10 | 2.75 |
| <i>B. Gallinas River</i> | .35 | .10 | .15 | .20 | .10 | .90 |
| <i>C. Upper Pecos Underground Water Basin</i> | - | - | - | .80 | - | .80 |
| <i>D. Upper Pecos Surface Water – Cow Creek</i> | .45 | - | .10 | .10 | .10 | .75 |
| <i>E. Carlsbad – Intrepid Potash</i> | .15 | .15 | .05 | .35 | - | .70 |
| <i>F. Pecos General</i> | .15 | .05 | - | .15 | - | .35 |
| <i>G. City of Las Vegas</i> | .05 | - | .05 | - | - | .10 |
| <i>H. Hondo Underground Water Basin</i> | - | - | - | - | - | - |
| <i>I. Carlsbad – Carlsbad Underground Basin</i> | - | - | - | - | - | - |
| <i>J. Peñasco Underground Water Basin</i> | - | - | - | - | - | - |
| <i>K. Ft. Sumner Irrigation District</i> | - | - | - | - | - | - |
| <i>L. Carlsbad – Black River</i> | - | - | - | - | - | - |
| <i>M. Carlsbad – Carlsbad Irrigation District</i> | - | - | - | - | - | - |
| <i>N. Rio Hondo Surface Water</i> | - | - | - | - | - | - |
| <i>O. Pecos –Other</i> | - | - | - | - | - | - |
| CATEGORY TOTALS - ALL SECTIONS | 1.75 | 1.50 | .90 | 1.90 | .30 | 6.35 |

STATE OF NEW MEXICO'S RULE 71.3 REPORT – FY 2020
EXHIBIT C: NORTHERN NEW MEXICO ADJUDICATION BUREAU

November 1, 2019

Pursuant to the requirements of NMRA Rule 1-071.3, the State of New Mexico presents its report setting out the State's priorities and available resources for the state and federal stream system adjudications in the Northern New Mexico Adjudication Bureau for fiscal year 2020 (July 1, 2019 to June 30, 2020), which will be filed in each adjudication. The available resources are based upon full time employee ("FTE") time, including contractors, and are listed in Table 1.

SUMMARY OF AVAILABLE RESOURCES FOR NORTHERN NEW MEXICO ADJUDICATION BUREAU

| | FY2019 FTEs | FY2020 FTEs |
|--|------------------------|------------------------|
| Total Bureau Staff and Contractor Resources | 15.00 | 14.85 |
| State Adjudications: | | |
| A. San Juan Adjudication | 4.55 | 4.25 |
| B. San Jose Adjudication (<i>Kerr-McGee</i>) | 1.00 | 1.30 |
| C. Santa Fe Adjudication (<i>Anaya</i>) | - | - |
| Federal Adjudications: | | |
| D. Chama Adjudication (<i>Aragon</i>) | 4.10 | 4.10 |
| E. Taos Adjudication (<i>Abeyta</i>) | 3.85 | 3.80 |
| F. Santa Cruz/Truchas Adjudication | .55 | .60 |
| G. Zuni Adjudication (<i>A&R</i>) | .40 | .40 |
| H. Jemez Adjudication (<i>Abousleman</i>) | .20 | .20 |
| I. Nambé, Pojoaque, Tesuque Adjudication (<i>Aamodt</i>) | .10 | .20 |

STATE COURT ADJUDICATIONS - PRIORITIES FOR FY 2020

I. SAN JUAN ADJUDICATION, *New Mexico v. U.S., Jicarilla Apache Tribe and Navajo Nation, Case No. D-1116-CV-75-184 (11th Judicial District, San Juan County)*

A. General San Juan Adjudication:

Research and analyze legal and procedural approaches and opportunities to expedite Adjudication, including drafting Active Water Resource Management District Specific Rules.

B. Indian Claims:

1. Navajo Nation Water Rights Settlement

Proceedings on appeal of Partial Final Judgment and Decree and Supplemental Partial

Exhibit C

Final Judgment and Decree in New Mexico Supreme Court completed and in process:

- a. N.M. Court of Appeals – Navajo Appeal (Case No. 33, 437)
Memorandum Opinion issued on 4/3/18 (and rehearing denied)
- b. Supreme Court – Navajo Appeal (Case No. S-1-SC-37068)
Writ of Cert granted 8/13/18 re: preemption issue. State filed brief 11/27/18; briefing completed (but motion for leave to file reply awaiting order); *Amicus* briefs filed.

2. Ute Mountain Ute Tribe

- a. Settlement meetings reinitiated in August, 2019.
- b. Motion to stay deadline for filing proposed procedural order for expedited inter se filed September, 2019.

C. Non-Indian Claims:

1. Section 1: La Plata

- a. Adjudicate domestic and stock water uses through procedural order and order to show cause entered 3/4/19.
- b. Commence *inter Se* proceeding and entry of partial final judgment and decree on surface irrigation, domestic and stock water uses previously adjudicated in Echo Ditch Decree.
 - Reconcile maps and orders and preparation of summary of adjudicated water rights (Addendum).
 - File motions amending/correcting subfile orders.
 - File motion for procedural and scheduling order for inter se.
 - Resolve *inter se* objections through litigation or mediation.
 - Brief entry of Partial Final Judgment and Decree.

2. City of Aztec, Farmington and Bloomfield

Prepare consent orders for each municipality, including analysis of Bloomfield's claims, to implement settlement agreements.

3. Section 2: Animas – *not scheduled for FY2020*

4. Section 3: San Juan Mainstem – *not scheduled for FY2020*

5. Section 4: Hammond Conservancy District – *not scheduled for FY2020*

6. Section 5: Los Pinos and Navajo Rivers – *not scheduled for FY2020*

7. Adjudication of Groundwater Rights – *not scheduled for FY2020*

Exhibit C

II. **SAN JOSE ADJUDICATION**, *New Mexico v. Kerr-McGee Corp.*, Case No. CB-83-190-CV & CB-83-220-CV (consolidated) (13th Judicial District, Cibola County)

A. **Indian Claims:**

1. **Subproceeding 1: Past and Present Use Water Rights of Pueblos of Acoma and Laguna:**

- a. Settlement discussions were initiated in FY2014 and actively continue with mediator.
- b. Complete hydrographic survey analysis of impoundment claims by Acoma and Laguna.
- c. Analyze state based rights claims.

2. **Subproceeding on all other Pueblo Claims:**

Settlement discussions were initiated in FY2014 and actively continue with mediator.

3. **Subproceeding on Navajo claims:**

Settlement discussions were initiated in FY2014 and actively continue with mediator.

B. **Non-Indian Claims:** *not scheduled for FY2020*

III. **SANTA FE ADJUDICATION**, *Anaya v. Public Service Co. of New Mexico*, Case No. 43, 347 (1st Judicial District, Santa Fe County)

A. **Non-Indian Claims** – *not scheduled for FY2020*

FEDERAL COURT ADJUDICATIONS - PRIORITIES FOR FY 2020

I. **CHAMA ADJUDICATION**, *N.M. v. Aragon*, Case No. 69cv07941-MV/KK (U.S.D.Ct., N.M.)

A. **Non-Indian Claims**

1. **Section 1: Chama Mainstem** - PFJD entered 7/26/71
2. **Section 1: Rio del Oso**
Complete adjudication of individual subfiles, including litigation.
3. **Section 2: Ojo Caliente** – *not scheduled for FY2020*
4. **Section 3: Rio Nutrias** – PFJD entered 7/14/13
5. **Section 3: Rio Cebolla**
 - a. Acequia and private ditch priority dates were determined in FY 2019.
 - b. Determine irrigation water requirements.
 - c. Prepare addendum summarizing surface water irrigation rights and hydrographic survey maps.
 - d. Commence *inter se* and move for entry of partial final judgment and decree for surface water irrigation rights.

Exhibit C

6. Section 3: Canjilon Creek

- a. Determine acequia and private ditch priority dates.
- b. Determine irrigation water requirements.
- c. Prepare addendum summarizing surface water irrigation rights and hydrographic survey maps.
- d. Commence *inter se* and move for entry of partial final judgment and decree for surface water irrigation rights.

8. Section 4 – El Rito – PFJD entered 6/25/73

9. Section 5 – Rio Gallina – PFJD entered 4/8/10

10. Section 6 – Cañones – PFJD entered 2/6/76

11. Section 7 – Rito de Tierra Amarilla – PFJD entered FY2019 (10/23/18)

12. Section 7 –Rio Brazos

- a. Determine irrigation water requirements.
- b. Determine acequia and private ditch priority dates for subsections and resolve objections to order to show cause
- c. Resolve objections to order to show cause or litigate claims based on Treaty of Guadalupe Hidalgo.
- d. Prepare addendum summarizing surface water irrigation rights and hydrographic survey maps.
- e. Commence *inter se* and move for entry of partial final judgment and decree for surface water rights.

13. Section 7 – Rutherford & Plaza Blanca – not scheduled for FY2020

14. Section 7 – Cañones Creek – not scheduled for FY2020

15. Section 7 – Village of Chama – not scheduled for FY2020

16. Section 8 – Rio Puerco – not scheduled for FY2020

B. Indian Claims

1. Ohkay Owingeh – Subproceeding 1: Past and Present Use Water Rights
In settlement discussions.
2. Ohkay Owingeh – Subproceeding 2: All other claims.
In settlement discussions.
3. Santa Clara Pueblo – not scheduled for FY2020

Exhibit C

II. **TAOS ADJUDICATION**, *New Mexico v. Abeyta*, Case No. CV-69-7896-MV/WPL & No. CV-7939-MV/WPL (consolidated) (U.S.D.Ct., N.M.)

B. Indian Claims

Consult with parties concerning implementation of settlement agreement.

C. Non-Indian Claims

1. Reconcile subfile orders with WRATS and hydrographic survey maps in preparation for inter se of surface water rights.
2. Determine proposed procedure for adjudication of groundwater rights and begin adjudicating.

III. **SANTA CRUZ/TRUCHAS ADJUDICATION**, *New Mexico v. Abbott*, Case No. 68-7488 MV/WPL (*Santa Cruz*) and Case No. 70-8650 MV/WPL (*Truchas*) (xx Judicial District, xx County)

B. Indian Claims

1. Ohkay Owingeh – Subproceeding 1: Past and Present Use Water Rights
In settlement discussions.
2. Ohkay Owingeh – Subproceeding 2: All other claims.

C. Non-Indian Claims – *not scheduled for FY2020*

IV. **ZUNI ADJUDICATION**, *U.S. & N.M. v. A & R Productions*, Case No. 01-cv-00072-MV-WPL (U.S.D.Ct, N.M.)

A. Indian Claims

1. **Subproceeding 1: Zuni Indian Claims** -Technical work ongoing for settlement discussions:
 - a. Claims based on past and present irrigation use from permanent works
 - b. Claims for right to use water for domestic, commercial, municipal, or industrial purposes
 - c. All other Zuni claims
2. **Subproceeding 2: Ramah Navajo Nation Claims**
Technical work ongoing for settlement discussions.

B. Non-Indian Claims

1. Complete primary subfile work (Ramah Irrigation Company, Meech Concrete, Ramah Water Utility) through settlement or litigation.
2. Consult with U.S. on scheduling *inter se* proceedings for 2020 and development of proposed procedural motion, proposed partial final judgment and decree and addendum.

V. **JEMEZ ADJUDICATION**, *U.S. v. Abousleman*, Case No. 6:83-cv-01041-MV-JHR (U.S.D.Ct., N.M.)

A. Indian Claims – **Jemez Pueblo & Zia Pueblo**

1. 10th Circuit Court of Appeals, Case No. 18-2164 (interlocutory appeal on aboriginal rights granted 10/31/18)
 - a. State Response brief filed 8/2/19; reply brief to be filed

Exhibit C

2. Mediation re-commenced

B. **Non-Indian Claims** – *not scheduled for FY2020*

VI. **NAMBÉ-POJOAQUE-TESUQUE ADJUDICATION**, *New Mexico v. Aamodt*, Case No. 66-cv6639- MV/WPL (U.S.D.Ct, N.M.)

A. **Indian Claims**

1. *New Mexico v. Carson*, Case No. 17-2147 (10th Cir. Ct. App.. Opinion issued 8/15/18 (dismiss objections for lack of subject matter jurisdiction; clarification order).
2. Negotiate Section 611(g) agreement to amend construction deadline and increase funding amount.
3. Negotiate two supplement funding agreements to implement terms of 611(g) agreement.
4. Inform Congress to amend federal law to incorporate terms of 611(g) agreement.

Exhibit C

Table 1: Northern New Mexico Adjudication Bureau Priority Sections & Resources

| PRIORITY ADJUDICATION SECTION | Staff Atty | Contract Atty | Staff Para-legal | Survey Staff | Technical Contractor | Data/IT Staff | Section Totals |
|--|-------------|---------------|------------------|--------------|----------------------|---------------|----------------|
| STATE COURT ADJUDICATIONS | | | | | | | |
| San Juan | | | | | | | |
| General | .35 | .10 | .05 | - | .25 | - | .75 |
| Section 1 (La Plata) | .60 | - | .40 | 1.10 | - | .05 | 2.15 |
| Municipalities (Aztec, Bloomfield, Farmington) | .15 | - | .05 | .45 | - | - | .65 |
| Section 3 (Mainstem) | - | - | - | - | - | - | - |
| Navajo Settlement | - | .10 | - | - | - | - | .10 |
| Ute Mountain Ute Tribe | .45 | .05 | .05 | .05 | - | - | .60 |
| San Juan Subtotals | 1.55 | .25 | .55 | 1.60 | .25 | .05 | 4.25 |
| San Jose (Kerr-McGee) | | | | | | | |
| Indian SP 1: Laguna/Acoma Past/Present Uses | .15 | .30 | .05 | .75 | .05 | - | 1.30 |
| Indian: Navajo claims | - | - | - | - | - | - | - |
| San Jose Subtotals | .15 | .30 | .05 | .75 | .05 | - | 1.30 |
| Santa Fe (Anaya) | | | | | | | |
| Santa Fe Subtotals | - | - | - | - | - | - | - |
| FEDERAL COURT ADJUDICATIONS | | | | | | | |
| Chama (Aragon) | | | | | | | |
| Section 1 (Mainstem) | .35 | - | .20 | .15 | - | .05 | .75 |
| Section 3 (Nutrias/Cebolla/Canjilon) | .35 | - | .20 | 1.00 | - | .05 | 1.60 |
| Section 7 (TA/Brazos/Rutheron/Chama Village) | .75 | - | .20 | .25 | - | .05 | 1.25 |
| Ohkay Owintgeh | .30 | - | .10 | .10 | - | - | .50 |
| Chama Subtotals | 1.75 | - | .70 | 1.5 | - | .15 | 4.10 |
| Taos (Abeyta) | | | | | | | |
| Non-Indian | .15 | .30 | .55 | 2.70 | - | .05 | 3.75 |
| Taos Pueblo Settlement | .10 | - | - | - | - | - | .10 |
| Taos Subtotals | .25 | .30 | .55 | 2.70 | - | .05 | 3.85 |
| Santa Cruz/Truchas | | | | | | | |
| Non-Indian | .05 | - | .05 | - | - | - | .10 |
| Indian SP2: Ohkay Owintgeh Past/Present Uses | .30 | - | .15 | - | - | - | .45 |
| Indian SP3: Santa Clara Past/Present Uses | - | - | - | - | - | - | - |
| San Cruz/Truchas Subtotals | .35 | - | .20 | - | - | - | .55 |
| Zuni (A&R) | | | | | | | |
| Non-Indian | .10 | - | .05 | - | - | - | .15 |
| Indian SP1: Zuni Past/Present Uses | .15 | - | .05 | - | - | - | .20 |
| Indian SP2: Navajo Nation Claims | .05 | - | - | - | - | - | .05 |
| Zuni Subtotals | .30 | - | .10 | - | - | - | .40 |
| Jemez (Abousleman) | | | | | | | |
| Three Pueblos | .10 | .05 | .05 | - | - | - | .20 |
| Jemez Subtotals | .10 | .05 | .05 | - | - | - | .20 |
| Nambé, Pojoaque, Tesuque (Aamodt) | | | | | | | |
| Non-Indian | .05 | - | .05 | - | - | - | .10 |
| Four Pueblos Settlement | .05 | - | .05 | - | - | - | .10 |
| Aamodt Subtotals | .10 | - | .10 | - | - | - | .20 |
| CATEGORY TOTALS – ALL SECTIONS | 4.55 | .90 | 2.35 | 6.95 | .30 | .25 | 14.85 |